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Intellectual Property Administration
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PATENT APPLICATION

ATTORNEY DOCKET NO. 10019982-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Robert HUNDT et al.

Confirmation No.: 6805

Application No.: 10/017,342

Examiner: Mitchell, J. D.

Filing Date: December 13, 2001

Group Art Unit: 2193

Title: UNINSTRUMENTING IN-LINE CODE INSTRUMENTATION ON-THE-FLY

Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner date, 09/06/06, rejecting the following claims 1-15. The fee for this Notice of Appeal is (37 CFR 1.17(B)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.13 6(a) apply.

- ☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (FEES: 37 CFR 1.17 (a)-(d) for the total number of months checked below:

☐ 1st Month
\$120

☐ 2nd Month
\$450

☐ 3rd Month
\$1020

☐ 4th Month
\$1590

- ☐ The extension fee has already been filed in this application

- ☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

- ☒ Enclosed please find a Pre-Appeal Brief Request for Review.

Please charge to Deposit Account **08-2025** the sum of \$ 500. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **08-2025** pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

- ☒ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, Alexandria, VA 22313-1450

Date of Deposit: 12/06/06

OR

- ☐ I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (571) 273-8300.
Date of facsimile:

Typed Name: Desiree Reardon

Signature: [Signature]

Respectfully submitted,
Robert HUNDT et al.

By [Signature]

John P. Wagner, Jr.

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Date : 12/06/2006

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